

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JESSICA JONES, et al.,

Plaintiffs,

v.

Varsity Brands, LLC, et al.

Defendants.

Case No. 2:20-cv-02892-SHL-tmp

JURY DEMAND

**DECLARATION OF DANIEL J. NORDIN
IN SUPPORT OF APPOINTMENT AS CLASS COUNSEL**

I, Daniel J. Nordin, declare the following under penalty of perjury:

1. I am a member of the law firm Gustafson Gluek PLLC (“Gustafson Gluek”), which is one of the law firms representing Plaintiffs in the above-captioned matter. I am a member in good standing in the State Bar of Minnesota and have been admitted *pro hac vice* in the United States District Court for the Western District of Tennessee, Western Division. I am over 18 years of age and have personal knowledge of the facts stated in this Declaration. If called as a witness, I could and would testify competently to the facts stated herein.

2. I have prepared this declaration in response to the Court’s Order, ECF No. 609, directing counsel for Plaintiffs to detail and describe their involvement in this action.

3. Gustafson Gluek has been involved throughout all stages of this litigation in working on many substantive and significant tasks on behalf of the Class over the course of this matter, including:

- a. Analyzing and revising the original complaint prior to filing;
- b. Researching and drafting Plaintiffs' opposition to Defendant USASF's motion to dismiss;
- c. Researching and drafting Plaintiffs' opposition to Defendants' motion to strike Plaintiffs' class allegations;
- d. Analyzing discovery requests propounded by the Direct Purchaser Plaintiffs to determine what additional requests Plaintiffs should propound and drafted those requests;
- e. Evaluating Defendant Bain Capital's discovery responses to assess sufficiency, challenging inappropriate objections and deficiencies and engaging in meet and confers, both by telephone conference, email, and letter, regarding deficiencies and the negotiation of custodians and search terms;
- f. Evaluating Defendant Charlesbank's discovery responses to assess sufficiency, challenging inappropriate objections and deficiencies, and engaging in meet and confers, both by telephone conference, email, and letter, regarding deficiencies and the negotiation of custodians and search terms;
- g. Researching and drafting a motion to compel Defendants Bain Capital and Charlesbank to produce sufficient responses to Plaintiffs' discovery requests;

- h. Analyzing and coding documents—both documents produced by others in this litigation and documents to be produced by Plaintiffs;
- i. Analyzing, researching, and summarizing the status of various state law claims after relevant orders from the Court;
- j. Preparing for and taking various depositions, including of personnel at Defendants Bain Capital and Charlesbank;
- k. Assisting co-counsel in the preparation for oral arguments on reconsideration of motion to dismiss and motion to strike, including attending these arguments;
- l. Summarizing deposition transcripts via deposition digests and the exhibits used therein via exhibit charts; and
- m. Researching and drafting Plaintiffs' opposition to Defendants' motion to exclude the expert testimony of Dr. Netz.

4. Gustafson Gluek's firm profile was attached as Exhibit 2 to the February 10, 2023, Saveri Declaration in Support of Plaintiffs' Motion to Appoint Lead Counsel (ECF No. 380-2; ECF No. 380-4) and is incorporated herein by reference. As described in further detail in Gustafson Gluek's firm resume, Gustafson Gluek has been appointed to numerous leadership positions in complex antitrust class action cases across the country, including: *In re Broiler Chicken Antitrust Litig.* (N.D. Ill.); *In re Crop Inputs Antitrust Litig.* (E.D. Mo.); *In re Dealer Management Systems Antitrust Litig.* (N.D. Ill.); *In re DPP Beef Litig.* (D. Minn.); *In re Google Digital Publisher Antitrust Litig.* (S.D.N.Y.); *In re Pork Antitrust Litig.* (D. Minn.); *In re Blue Cross Blue Shield Antitrust Litig.* (N.D. Ala.); *Powell Prescription Center v. Surescripts, LLC* (N.D. Ill.).

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 24, 2024, in Minneapolis, Minnesota.

/s/ Daniel J. Nordin (per email consent dated 5/24/2024)
Daniel J. Nordin